

IC 31-11-8

Chapter 8. Void Marriages

IC 31-11-8-1

Marriages void without legal proceedings

Sec. 1. A marriage that is solemnized in Indiana and is void under section 2, 3, or 5 of this chapter is void without any legal proceedings.

As added by P.L.1-1997, SEC.3.

IC 31-11-8-2

Prior existing marriage

Sec. 2. A marriage is void if either party to the marriage had a wife or husband who was living when the marriage was solemnized.

As added by P.L.1-1997, SEC.3.

IC 31-11-8-3

Marriage to close relative; marriages between cousins; exceptions

Sec. 3. A marriage is void if the parties to the marriage are more closely related than second cousins. However, a marriage is not void if:

- (1) the marriage was solemnized after September 1, 1977;
- (2) the parties to the marriage are first cousins; and
- (3) both of the parties were at least sixty-five (65) years of age when the marriage was solemnized.

As added by P.L.1-1997, SEC.3.

IC 31-11-8-4

Mentally incompetent persons

Sec. 4. A marriage is void if either party to the marriage was mentally incompetent when the marriage was solemnized.

As added by P.L.1-1997, SEC.3.

IC 31-11-8-5

Common law marriages entered into after January 1, 1958

Sec. 5. A marriage is void if the marriage is a common law marriage that was entered into after January 1, 1958.

As added by P.L.1-1997, SEC.3.

IC 31-11-8-6

Foreign marriage solemnized between Indiana residents to evade Indiana law

Sec. 6. A marriage is void if the parties to the marriage:

- (1) are residents of Indiana;
- (2) had their marriage solemnized in another state with the intent to:
 - (A) evade IC 31-11-4-4 or IC 31-11-4-11 (or IC 31-7-3-3 or IC 31-7-3-10 before their repeal); and
 - (B) subsequently return to Indiana and reside in Indiana; and
- (3) without having established residence in another state in

good faith, return to Indiana and reside in Indiana after the marriage is solemnized.

As added by P.L.1-1997, SEC.3.